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BOSTON SCIENTIFIC CORPORATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

19	DONALD MASTERS,	)	No. 5:07-cv-03792-JW
20	Plaintiff,)	
21	vs.	)	STIPULATION AND
22		)	[PROPOSED] AMENDMENT TO
23	BOSTON SCIENTIFIC CORPORATION,	)	SCHEDULING ORDER
24	BOSYON SCIENTIFIC CORPORATION 2000	)	FOR INITIAL CASE
25	LONG TERM INCENTIVE PLAN)	)	MANAGEMENT CONFERENCE
26	and DOES 1-50,	)	AND ADR DEADLINE
27	Defendant.	)	Date: February 25, 2007
28		)	Time: 10:00 a.m.
		)	Courtroom 8, 4th Floor SJ

**STIPULATION AND [PROPOSED] AMENDMENT TO SCHEDULING ORDER FOR
INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINE**

WHEREAS, this case was recently reassigned to the Honorable James Ware;

WHEREAS, the Clerk's Notice of Impending Reassignment set the Case Management Conference for 10:00 a.m., Monday, November 5, 2007 and set the date for submitting the Joint Case Management Statement and Proposed Order as October 29, 2007;

THEREFORE, all parties and their counsel stipulate to and request the Court's approval of the following extension of the Court's Initial Order Setting Initial Case Management Conference and ADR Deadlines.

CASE SCHEDULE –ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
2/4/2008	Last day to: <ul style="list-style-type: none"> meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	<u>FRCivP 26(f) & ADR L.R. 3-5</u> <u>Civil L.R. 16-8</u>
2/18/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	<u>FRCivP 26(a)(1)</u> <u>Civil L.R. 16-9</u>
2/25/2008	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 8, 4 th Floor SJ at 10:00 a.m.	<u>Civil L.R. 16-10</u>

/s/ Robert B. Nichols

Robert B. Nichols
Attorney for Plaintiff
Donald Masters

/s/ Thomas E Kuhnle

Thomas E. Kuhnle
Attorney for Defendant
Boston Scientific Corporation

[Proposed] ORDER AMENDING SCHEDULING ORDER FOR INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES

IT IS ORDERED THAT the Case Schedule is amended as follows:

CASE SCHEDULE –ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
2/4/2008	Last day to: <ul style="list-style-type: none"> meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan file Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference 	<u>FRCivP 26(f) & ADR L.R. 3-5</u> <u>Civil L.R. 16-8</u>
2/18/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	<u>FRCivP 26(a)(1)</u> <u>Civil L.R. 16-9</u>
2/25/2008	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 8, 4 th Floor SJ at 10:00 a.m.	<u>Civil L.R. 16-10</u>

The Case Management is continued from November 5, 2007 to February 25, 2008. The parties shall file a joint case management conference statement by 2/15/2008.

Date: October 4, 2007


 JAMES WAKE
 UNITED STATES DISTRICT JUDGE